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Counsel for Defendant Illuminate Education, Inc. d/b/a Pupil Path

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re: Illuminate Education Data Security Incident Litigation

Case No. 8:22-cv-01164-JVS-ADS

The Honorable James V. Selna
Courtroom 10C

**DEFENDANT ILLUMINATE
EDUCATION, INC.'S NOTICE OF
MOTION AND MOTION TO
DISMISS THE CONSOLIDATED
COMPLAINT**

Hearing Date: October 23, 2023
Time: 1:30 PM
Courtroom: 10C

1 **TO ALL THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on October 23, 2023, at 1:30 pm or as soon
3 thereafter as the parties may be heard, in courtroom 10C of the United States District
4 Court for the Central District of California, located at 411 West 4th Street, Santa Ana,
5 California 92701 before the Honorable James V. Selna, defendant Illuminate Education,
6 Inc. ("Illuminate") will and hereby does move the Court for an Order dismissing the
7 Consolidated Complaint, ECF No. 88, for lack of jurisdiction under Fed. R. Civ. P.
8 12(b)(1), and for failure to state a claim under Fed. R. Civ P. 12(b)(6). This motion is
9 submitted pursuant to the court's order of May 1, 2023, ECF No. 81.

10 The motion is based on upon this Notice of Motion and Motion, Memorandum
11 in Support thereof, the Declaration of Devin S. Anderson filed in support of Illuminate's
12 Motion to Dismiss the Consolidated Complaint, the files and records in this action, and
13 any and all other materials submitted to the Court on or before the time of its decision
14 in this matter.

1 DATED: July 20, 2023

Respectfully submitted,

2 By: /s/ Devin S. Anderson

3 **KIRKLAND & ELLIS LLP**

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14
15 *Counsel for Defendant Illuminate
16 Education, Inc. d/b/a Pupil Path*

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will automatically send an e-mail notification of such filing to the attorneys of record who are registered CM/ECF users.

DATED: July 20, 2023

Respectfully submitted,

By: /s/ Devin S. Anderson
Devin S. Anderson

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